

# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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### EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON APRIL 27, 2009


#### MINUTE NO. 4 – Amendment to the Water Quality Standards (9VAC25-260-275) Protection of Eastern Shore Tidal Waters for Clams and Oysters

Elleanore Daub of the Office of Water Permits and Compliance Assistance summarized the amendment, the public comments and changes made since the public hearing. The amendment requires an analysis be conducted to determine if a wastewater management alternative other than a Virginia Pollutant Discharge Elimination System discharge to shellfish waters on the Eastern Shore would be feasible, produce less of an environmental impact, and not result in significant social and economic impacts. This requirement is initiated only when applications for new or expanded individual VPDES discharges to Eastern Shore waters result in condemnations but are not denied pursuant to 9VAC25-260-270 (Shellfish buffer zones; public hearing).

Oral comment was presented to the Board by Ann F. Jennings, Virginia Executive Director of the Chesapeake Bay Foundation who spoke in favor of the amendment and recommended the requirement for a wastewater management alternative analysis be established statewide.

#### Decision:

Based upon the information provided to the Board and the staff recommendation, the Board by a unanimous vote adopted the amendment to the Water Quality Standards 9VAC25-260-275 entitled Protection of Eastern Shore Waters for Clams and Oysters.

  
for Ellen Gilinsky, PhD.  
Director, Water Division

4/30/09  
Date